

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:23-cv-00366-MR-WCM

JONATHAN DANIEL WILLIAMS,

Plaintiff,

v.

DEPARTMENT OF PUBLIC SAFETY –
STATE OF NORTH CAROLINA –
STATE HIGHWAY PATROL;
RANDY L. DEATON, *Captain*;
BRANDON S. SMITH, *Lieutenant*;
HAROLD F. STINES;
AARON C. AMMONS, *Sergeant*; and
CHRISTOPHER W. COOK, *Sergeant*;

Defendants.

ORDER

This matter is before the Court on a Motion for an Extension of Time to Answer or Otherwise Respond to Plaintiff's Complaint (the "Motion to Extend," Doc. 7) and a Motion to Deem the Motion to Extend Timely Filed (the "Motion to Deem Timely," Doc. 8), both filed by Defendant North Carolina Department of Public Safety, State Highway Patrol (the "Department").

On February 26, 2024, the deadline for the other defendants in this matter to file an answer or otherwise respond to Plaintiff's Complaint was extended through April 1, 2024. Doc. 6.

On March 8, 2024, the Department filed the Motion to Extend and the

Motion to Deem Timely. In brief, the Department states that the specific date on which it was served is unclear and could have been February 1, 2024 (as indicated by docket entry 5), February 12, 2024 (as indicated by the return of service Doc. 5), or February 27, 2024 (as indicated by the Department's Office of General Counsel), such that the Department's answer deadline could have been February 22, March 4, or March 19.

Having reviewed the Motions and the other filings in this matter, the undersigned will allow the Departments' requests in the exercise of discretion.

IT IS THEREFORE ORDERED THAT:

1. The "Motion to Deem Defendant NCDPS-SHP's Motion for an Extension of Time to Answer or Otherwise Respond to Plaintiff's Complaint Timely Filed" (Doc. 8) is **GRANTED**, and the Motion for an Extension of Time (Doc. 7) is **ACCEPTED**.

2. “NCDPS-SHP’s Motion for an Extension of Time to Answer or Otherwise Respond to Plaintiff’s Complaint” (Doc. 7) is **GRANTED**, and the deadline for the Department to file an answer or otherwise respond to Plaintiff’s Complaint is **EXTENDED** through and including April 1, 2024.

Signed: March 11, 2024

A handwritten signature in black ink, reading "W. Carleton Metcalf", written over a horizontal line.

W. Carleton Metcalf
United States Magistrate Judge

